

## ALAMEDA COUNTY CMA 2009 LEGISLATIVE PROGRAM (DRAFT)

## STATE

Issue	Objective	Comments
Transportation Funding	Oppose efforts to divert transportation funding as part of the FY 08-9 and 9-10 budgets	Proposition 1A that protects transportation funding was passed by the voters in November 2006, but this measure allows the State to borrow Prop 42 funds for a three year period. Prop 42 is the only funding source for the STIP. Spillover funds are a significant revenue source for transit. The state continues to have a structural deficit and the current fiscal year deficit is larger than projected. The CMA will oppose any efforts to divert transportation funding in the FY 2008-9 or 2009-10 budgets.
	Support a constitutional amendment to protect transportation revenue	Proposition 42 protected, with the exception of the borrowing provision noted above, most but not all transportation revenue, specifically the spillover funds for transit. These funds have been raided repeatedly. The proposal would require all gasoline sales taxes to flow into Proposition 42 thus protecting the spillover funds. Prop 42 funds are split 40% to the STIP, 40% to local roads and 20% to transit. The CMA will partner with MTC, CMAs and other transportation interests to develop a consensus on a constitutional amendment that protects the spillover funds and further restricts borrowing of Prop 42 funds.
	Support or sponsor legislation to permit a county to bond STIP shares	Large projects often require a commitment from the STIP county share larger than any two-year funding cycle can support. Federal law permits bonding of federal transportation revenues included in a state highway account. All federal revenues are now devoted to maintaining and rehabilitating the state highway system in accordance with state law. The CMA will sponsor or support legislation to create a state equivalent of the federal bonding authority. For bonding authority to be practical, the additional
		restrictions on Prop 42 borrowing suggested above as part of a constitutional amendment are necessary.
	Sponsor legislation to permit CMAs to levy or seek voter approval of a vehicle registration fee	In 2007, the CMA sponsored AB 444 (Hancock) to authorize a majority vote at the county level on a vehicle registration fee for transportation. The CMA also supported other bills with similar purposes. AB 444 did not reach the Governor's desk during the 2007-8 session. The CMA will seek an author for a similar bill in the 2009-10 session.
	Support broader eligibility in the Transportation Fund for Clean Air (TFCA)	The TFCA program has a limited set of projects and programs that are eligible for funding. Broader eligibility is likely necessary to provide more efficient use of these funds. Climate change measures should be among the eligible programs and projects. The CMA will support efforts to broaden the list of projects and

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	program	programs that can be funded with this source.

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High Occupancy Toll (HOT) Lanes	Support or sponsor legislation to increase the authorized number of HOT lanes	In 2007, the Alameda County CMA sponsored legislation, which was signed into law, to remove the sunset on its HOT lane authorization. This legislation also sought to increase the number of projects the CMA could implement; this element of the bill was deleted during the legislative process. MTC has proposed a regional HOT lanes network. The CMA will partner with MTC and other counties seeking expanded or new authority, such as Santa Clara or Solano, to increase the number of HOT lanes that can be implemented throughout the region.
Climate Change/ Global Warming	SB 375 Cleanup	Governor Schwarzenegger's SB 375 signing message indicated his support for cleanup legislation in 2009 that would address CEQA exemptions beyond housing and mixed-use developments, clarification that Prop 1B bond projects are exempt, eliminating schedule conflicts between housing elements and regional transportation plans, and reducing the risk of litigation. The CMA will monitor the progress of proposed legislation, supporting cleanup legislation that supports the CMAs capital improvement program and the broader goals of its long range plan.
	Support efforts by the state to increase automobile fuel efficiency	Global warming is an acknowledged fact. Evidence suggests such warming is occurring at a more rapid rate than anticipated. Immediate action is necessary to reduce green house gas emissions through higher fuel economy in the fleet. The CMA will support state efforts to increase fuel economy.
Intelligent Transportation Systems (ITS)	Support or sponsor legislation to provide a stable source of revenue to support the operation of the CMA's SMART Corridors Program	The CMA has constructed and is operating a network of ITS components called the SMART Corridors Program. This program supports AC Transit's Rapid Bus Program and will support a similar system in the Livermore Valley. The CMA has pieced together operating and maintenance funding for the SMART corridors for the last several years. If this program is to have longevity, a stable source of operating and maintenance funding is needed. The CMA will sponsor or support legislation to provide a stable source of funding, which could include expanded eligibility through the TFCA program, through a vehicle registration fee program or other fund source.

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Highway Relinquishments	Support or sponsor legislation to eliminate the impact of relinquishments on STIP county share	The county share portion of the STIP is calculated using population and centerline state highway miles. If a portion of a state highway is relinquished to local control, the mileage affected is deleted from the total miles of state highway in a county, reducing the impacted county's STIP county share funding. Some local jurisdictions wish to assume control of non-freeway state highways. Caltrans is interested in relinquishing such highways to local control to reduce its maintenance costs. The CMA will sponsor and/or support legislation that would provide that state highway miles for purposes of the county share calculation shall not be less than the number at a date to be fixed in statute.

# ALAMEDA COUNTY CMA 2009 LEGISLATIVE PROGRAM (DRAFT)

## FEDERAL

Issue	Objective	Comments
Federal Transportation Reauthorization	Advance the California Consensus Principles	<p>At its July 2008 meeting, the CMA adopted the California Consensus principles on Federal Transportation Authorization (attached). These principles identify seven goals:</p> <ul style="list-style-type: none"> <li>• Ensure the financial integrity of the Highway and Transit Trust Funds</li> <li>• Rebuild and maintain transportation infrastructure in a good state of repair</li> <li>• Establish goods movement as a national priority</li> <li>• Enhance mobility through congestion relief within and between metropolitan areas</li> <li>• Strengthen the federal commitment to safety and security, particularly with respect to rural roads and access</li> <li>• Strengthen comprehensive environmental stewardship</li> <li>• Streamline project delivery</li> </ul> <p>The CMA will work with the State, MTC, CMA's and other transportation interests to achieve these goals in the new federal program.</p>
	Develop and promote candidate projects for earmarks	<p>The CMA's advocacy of a few key projects in the last reauthorization was generally successful. The CMA has identified high priority highway and transit projects (see below). The CMA will promote project earmarks that are consistent with its high priority projects. Briefings will be arranged with Alameda County's Congressional delegation and California's Senators.</p>
Economic Stimulus Package	Promote the inclusion of transportation funding	<p>The CMA will advocate that transportation infrastructure be included in any proposal for a national economic stimulus package. Transportation projects yield both short term and long-term economic benefits. The CMA will also advocate that funds be used to deliver projects at the state, regional and local level, that the funds be distributed using the Surface Transportation Program (STP) formula, and that the legislation include provisions which will speed project delivery.</p>
Funding Support for Key CMA Programs	Support earmarks for key CMA programs in annual appropriations	<p>The Board has identified several high priority projects in both the current and immediate past long range plan: AC Transit's Berkeley/Oakland/San Leandro corridor planned for BRT; the BART Oakland Airport Connector; the BART Warm Springs Extension; the I-580 corridor in the Livermore Valley; Transit Oriented Development; and the Arterial Performance Initiative. The CMA will seek and support earmarks in annual</p>

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		appropriations for these programs and projects.
Climate Change/ Global Warming	Support increased fuel economy standards for autos and trucks	Global warming is an acknowledged fact. Recent evidence suggests such warming is occurring at a more rapid rate than anticipated. Immediate action is necessary to reduce green house gas emissions through higher fuel economy in the fleet. The CMA will support legislation to increase the federal fuel economy standards.
	Support federal legislation that would permit more widespread use of pricing and a carbon tax as a way to manage demand	Pricing techniques such as HOT lanes together with higher fuel taxes (carbon tax) can reduce vehicle miles traveled, which reduces green house gas emissions. The CMA will support legislation that provides incentives for the use of pricing mechanisms and will support an increase in the federal fuel tax or a carbon tax. The CMA will support the eligibility of sustainable transportation projects that reduce greenhouse gases in any carbon tax legislation.

## **California Consensus on Federal Transportation Authorization**

Stakeholders from across California have united on a basic set of principles that we ask our delegation in Washington, DC to adopt in the upcoming debate on the future of this nation's transportation policies.

### ***1. Ensure the financial integrity of the Highway and Transit Trust Funds***

The financial integrity of the transportation trust fund is at a crossroads. Current user fees are not keeping pace with needs or even the authorized levels in current law. In the long-term, the per-gallon fees now charged on current fuels will not provide the revenue or stability needed, especially as new fuels enter the marketplace. This authorization will need to stabilize the existing revenue system and prepare the way for the transition to new methods of funding our nation's transportation infrastructure.

- Maintain the basic principle of a user-based, pay-as-you-go system.
- Continue the budgetary protections for the Highway Trust Fund and General Fund supplementation of the Mass Transportation Account.
- Assure a federal funding commitment that supports a program size based on an objective analysis of national needs, which will likely require additional revenue.
- To diversify and augment trust fund resources, authorize states to implement innovative funding mechanisms such as tolling, variable pricing, carbon offset banks, freight user fees, and alternatives to the per-gallon gasoline tax that are accepted by the public, and fully dedicated to transportation.
- Minimize the number and the dollar amount of earmarks, reserving them only for those projects in approved transportation plans and programs.

### ***2. Rebuild and maintain transportation infrastructure in a good state of repair.***

Conditions on California's surface transportation systems are deteriorating while demand is increasing. This is adversely affecting the operational efficiency of our key transportation assets, hindering mobility, commerce, quality of life and the environment.

- Give top priority to preservation and maintenance of the existing system of roads, highways, bridges and transit.
- Continue the historic needs-based nature of the federal transit capital replacement programs.

### ***3. Establish goods movement, as a national economic priority.***

Interstate commerce is the historic cornerstone defining the federal role in transportation. The efficient movement of goods, across state and international boundaries increases the nation's ability to remain globally competitive and generate jobs.

- Create a new federal program and funding sources dedicated to relieving growing congestion at America's global gateways that are now acting as trade barriers and creating environmental hot spots.
- Ensure state and local flexibility in project selection.
- Recognize that some states have made a substantial investment of their own funds in nationally significant goods movement projects and support their investments by granting them priority for federal funding to bridge the gap between need and local resources.
- Include adequate funding to mitigate the environmental and community impacts associated with goods movement.

## **California Consensus on Federal Transportation Authorization (continued)**

### ***4. Enhance mobility through congestion relief within and between metropolitan areas.***

California is home to six of the 25 most congested metropolitan areas in the nation. These mega-regions represent a large majority of the population affected by travel delay and exposure to air pollutants.

- Increase funding for enhanced capacity for all modes aimed at reducing congestion and promoting mobility in the most congested areas.
- Provide increased state flexibility to implement performance-based infrastructure projects and public-private partnerships, including interstate tolling and innovative finance programs.
- Consolidate federal programs by combining existing programs using needs, performance-based, and air quality criteria.
- Expand project eligibility within programs and increase flexibility among programs.

### ***5. Strengthen the federal commitment to safety and security, particularly with respect to rural roads and access.***

California recognizes that traffic safety involves saving lives, reducing injuries and optimizing the uninterrupted flow of traffic on the state's roadways. California has completed a comprehensive Strategic Highway Safety Plan.

- Increase funding for safety projects aimed at reducing fatalities, especially on the secondary highway system where fatality rates are the highest.
- Support behavioral safety programs – speed, occupant restraint, driving under the influence of alcohol or drugs, road-sharing, etc. -- through enforcement and education.
- Address licensing, driver improvement, and adjudication issues and their impact on traffic safety.
- Assess and integrate emerging traffic safety technologies, including improved data collection systems.
- Fund a national program to provide security on our nation's transportation systems, including public transit.

### ***6. Strengthen comprehensive environmental stewardship.***

Environmental mitigation is part of every transportation project and program. The federal role is to provide the tools that will help mitigate future impacts and to cope with changes to our environment.

- Integrate consideration of climate change and joint land use-transportation linkages into the planning process.
- Provide funding for planning and implementation of measures that have the potential to reduce emissions and improve health such as new vehicle technologies, alternative fuels, clean transit vehicles, transit-oriented development and increased transit usage, ride-sharing, and bicycle and pedestrian travel.
- Provide funding to mitigate the air, water and other environmental impacts of transportation projects.

### ***7. Streamline Project Delivery***

Extended processing time for environmental clearances, federal permits and reviews, etc. add to the cost of projects. Given constrained resources, it is all the more critical that these clearances and reviews be kept to the minimum possible consistent with good stewardship of natural resources.

- Increase opportunities for state stewardship through delegation programs for NEPA, air quality conformity, transit projects, etc.
- Increase state flexibility for using at-risk design and design-build.
- Ensure that federal project oversight is commensurate to the amount of federal funding.
- Require federal permitting agencies to engage actively and collaboratively in project development and approval.
- Integrate planning, project development, review, permitting, and environmental processes to reduce delay.



## California Consensus on Federal Transportation Authorization (continued)

The CMA adopted the California Consensus principles for reauthorization in July 2008. ACTIA adopted the Consensus principles with additional detail on specific points in December 2008. The CMA has adopted the following elaboration on the California Consensus principles consistent with ACTIA's action:

- **Support methods to increase the gas tax and alternative methods of financing.** As the primary source of funding for surface transportation, the gas tax needs to be modified to allow for increases over time. Without the ability to increase the gas tax purchasing power, and in the absence of other funding methods, transportation funding will continue to decline. Alternative methods of financing such as high-occupancy toll lanes, public-private partnerships, and other user-based-type fees are important elements to continue critical investments in our core transportation infrastructure and should be allowed, provided they protect the public investment.
- **Support rewarding states that provide significant funding into the transportation systems.** California is considered a "Self-Help" state, one that raises funds both locally and statewide to fund local, state and federal transportation projects. Over time, federal funds have provided a smaller share of the overall funding need in California. Each year, the Bay Area taxpayers alone provide almost \$1 billion in local funds to support the transportation system, and California as a whole provides billions of dollars into transportation to support one of the top ten highest producing economies in the world. The infusion of \$20 billion for transportation bonds approved by voters in 2006 is on top of this amount. This effort must be acknowledged and rewarded by providing priority funding for California's projects, bonus federal matching funds or simple increases in overall funding commensurate with the state's investment.
- **Increase funding and flexibility of transit investments.** This effort directly addresses the need to shift a portion of trips away from auto use to address climate change and to reduce congestion. With increasing population projections and future improvements in the economy, it becomes ever more important to protect, enhance and make our transportation systems more efficient, providing effective choices for commuters.
  - Support federal transit funding to assist in completion of large transit projects in Alameda County.
  - Support increasing, combining and integrating federal funding programs for seniors and disabled, and ensure flexibility of these programs to address the dramatically increasing senior population in Alameda County and the country.
  - Support transit safety and security programs through homeland security that are not at the expense of existing transit funding, but rather augment transit funding.
  - Support clarification of current laws that would allow transit to provide school related services as well as services supporting senior transit mobility.
  - Support climate change legislation that expands transit services and connections to transit services. To achieve necessary increases in public transit ridership to address CO2 emissions from the transportation field, legislation should support funding that augments transit funding and does not replace it.
- **Increase funding for non-motorized transportation.** This effort recognizes the tremendous capacity of walking and biking, particularly for access to transit and specialized educational programs that shift uses in transportation modes, reducing vehicle miles traveled and emissions from cold starts of autos for short trips.
- **Support climate change legislation that expands transit services and supports safe, efficient and clear connections to transit services.** In Alameda County, 39% of people live within one mile of BART, and even higher numbers are located within a mile of a bus line. This proximity creates opportunity to transition trips to transit.

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